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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RICHARD CARRASCO,

Plaintiff,

v.

OFFICER CAMPAGNA, et al.,

Defendants.

Case No. C 03-4727 SBA (EMC)

**STIPULATION AND ORDER TO MODIFY
THE SCHEDULING ORDER**

Pursuant to Civil L.R. 6-2, Plaintiff Richard Carrasco, ("Plaintiff") and Defendants Officer Campagna and Officer Holguin (collectively, the "Defendants") submit this Stipulation and [Proposed] Order to Modify the Scheduling Order, to extend the time for fact discovery, and set a date for the exchange of expert reports. Specifically, the parties stipulate that the Scheduling Order be modified as follows:

1. Fact discovery cut-off: All fact discovery shall be completed and all responses served by December 13, 2006.

2. Expert reports: The exchange of expert reports shall be completed and served by
December 15, 2006.

The reasons for the requested modification are set forth below:

1. Through no fault of either party, disclosure of Plaintiff's medical records have been delayed. Declaration of Brandon J. Kimura in Support of Stipulated Request for an Order Changing the Discovery Period. ("Kimura Decl."), ¶ 2.
2. Through no fault of either party, the depositions of certain fact witnesses have been delayed. ("Kimura Decl."), ¶¶ 3-4.
3. No date has yet been set for the exchange of expert reports.

Respectfully submitted,

Dated: October 30, 2006

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/s/

Brandon Kimura (241220)
Attorneys for Plaintiff RICHARD CARRASCO

Dated: October 30, 2006

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/s/

Melissa R. Kiniyalocts (215814)
Attorneys for Defendants
OFFICER CAMPAGNA and OFFICER HOLGUIN

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 11/1/06


SAUNDRA BROWN ARMSTRONG
UNITED STATES DISTRICT JUDGE